IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINETEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 24055 of 2001

Between:

A. Ram Kumar S/o. Nagaiah
A.P.Housing Board , Warangal R/o. Q.No. 941, Opp: Singareni High School, Sector-II.
P.O. Godavarikhani, Karimnagar District.

..... PETITIONER

AND

1 The Vice-Chairman and Housing Commissioner Andhra Pradesh Housing Board,
Gruhakalpa, Mukkaramjahi Road, Hyderabad.
2 The Executive Engineer, Warangal Division A.P. Housing Board, Nakkalagutta Hanamkonda, Warangal District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of mandamus, declaring that the orders of removal passed by the 1st respondent vide Proceedings No 6085/B7/2001 dt. 1-10-2001 are illegal, invalid, violative of principles of natural justice and also violative of Articles 311 (2), 14, 16 and 21 of the Constitution of India and to pass

Counsel for the Petitioner: SMT.G.JYOTHI KIRAN

Counsel for the Respondents: MR.A.K.JAYAPRAKASH RAO

The Court made the following :

ORAL ORDER:

The petitioner questions the order, dated 1.10.2001 passed by the 1st respondent removing him from service besides recovery of the cost of 265 cement bags from him.

It is stated that pursuant to the charge memo, dated 21.5.2001 and the show cause notice, dated 6.7.2001, the petitioner submitted his explanation on 31.7.2001 admitting that he had given 265 bags of Cement to one of his friends on 15.4.2001 and therefore, there was no need to conduct regular departmental enquiry against the petitioner as the charges framed in the charge memo and the allegations made in the show cause notice are not disputed.

However, the learned counsel for the petitioner submits that the petitioner could not file all the relevant documents and therefore, the petitioner may be given an opportunity to file an appeal against the said order.

Having regard to the facts and circumstances of the case, the petitioner is permitted to file an appeal before the appellate authority within two weeks from the date of receipt of a copy of this order and if such an appeal is preferred, the appellate authority may consider it and dispose of the same in accordance with law.

The writ petition is accordingly disposed of. No costs.

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(V.ESWARAIAH,J.)

19th August, 2004

bcj/Ars

To

1 The Vice-Chairman and Housing Commissioner Andhra Pradesh Housing Board, Gruhakalpa, Mukkaramjahi Road, Hyderabad.
2 The Executive Engineer, Warangal Division A.P. Housing Board, Nakkalagutta, Hanamkonda, Warangal District.

3 Two C.D. copies